

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

FILED

UNITED STATES DISTRICT COURT
ALBUQUERQUE, NEW MEXICO

OCT 07 2019

UNITED STATES OF AMERICA,

MITCHELL R. ELFERS
CLERK

Plaintiff,

vs.

No. 19-MJ-3231

GREGORY MONTOYA,

Defendant.

ORDER TOLLING SPEEDY TRIAL COMPUTATION

The Court, having reviewed Defendant's Unopposed Motion to Continue Grand Jury Presentment (Doc #), finds the ends of justice served by allowing the request to toll the speedy indictment computation for a period of 75 days outweigh the interests of the defendant and the interest of the public in a speedy indictment. The Court finds that tolling the speedy indictment computation will substantially increase the likelihood of the parties reaching a settlement in this case that would avoid the need for a trial. The Court expressly finds that the public's interest in a speedy indictment is outweighed by (1) the public's interest in a reasonably expeditious resolution of the case; (2) the public's interest in relieving the burden that would be placed on judicial, prosecutorial, defense, and law enforcement resources if the case proceeded to trial; and (3) the potential benefit conferred upon the defendant in an expedited resolution of the case.

IT IS THEREFORE ORDERED, ADJUDGED, and DECREED that a period of time not to exceed 75 days, for a total of 105 days, is hereby excluded from the computation of a speedy indictment pursuant to 18 U.S.C. § 3161 (b) and (h)(7)(A).



UNITED STATES MAGISTRATE JUDGE